

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 9474 of 2005

Between:

B.V.Sudhakar Prasad S/o Balaramaiah
R/o Mettupalem Vilalge, Gundur Mandal,

Nellore District

..... PETITIONER

AND

Deputy Transport Commissioner & Secretary,

RTA., Nellore

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other Writ, order or direction, directing the respondent to accept the valid records within four months and issue the permit granted by the Regional Transport Authority, Nellore in item No. 20(s); R.No. 3659/A3/2000, dated 6-9-2003 on the route Gudur old Bus stand to Thippavarappadu, and pass such other orders as may deem fit.

Counsel for the Petitioner: MR.P.RAJAGOPALA CHARY

Counsel for the Respondent: GP FOR TRANSPORT

The Court at the stage of admission made the following:

ORDER:

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Directing the respondent to accept the valid records within four months and issue the permit granted by the Regional Transport Authority, Nellore in item No.20, R.No.3659/A3/2000, dated 06.09.2003 on the route Gudur old bus stand to Thippavarappadu, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Transport.

The Regional Transport Authority, Nellore, by order dated 06.09.2003 granted a stage carriage permit to the petitioner on the town service route Gudur old bus stand to Thippavarappadu and directed him to produce records within four months. The petitioner could not produce records in time.

The contention of the petitioner is that due to ill health, he could not produce records before the respondent within stipulated time. If the writ petition is allowed, no third party rights will be interrupted and on the other hand, the State will get some revenue.

Therefore, the Writ Petition is allowed, directing the petitioner to produce relevant records before the respondent within two months from today, failing which, the petitioner is not entitled to any stage carriage permit. No order as to costs.

Dated: 26.04.2005

Dsr

ASSISTANT REGISTRAR

To:

1. The Deputy Transport Commissioner &
Secretary, R.T.A., Nellore

2. Two CCs to the Government Pleader
for Transport, High Court Buildings,
Hyderabad (OUT)

3. Two CD copies

*Form-NIC-OGS/WP{**TRT**}*